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Second Edition of the Speech of Mr. Marshall.

THE SPEECH

OF

THOMAS MARSHALL,

(OF FAUQUIER)

IN THE

HOUSE OF DELEGATES OF VIRGINIA,

ON THE

POLICY OF THE STATE

IN RELATION TO

HER COLORED POPULATION:

Delivered Saturday, January 14, 1832.

This second edition of the speech of Mr. Marshall on the Slave Question, is published by gentlemen favorable to the views which he has advocated—not by himself.

RICHMOND:

Printed by Thomas W. White, opposite the Bell Tavern.

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Wm Everett, Esq. Aug. 7. 1867

HOUSE OF DELEGATES OF VIRGINIA.

WEDNESDAY, JANUARY 11, 1832.

MR. GOODE of Mecklenburg, rose to move the following resolution.

Resolved, That the select committee raised on the subject of slaves, free negroes, and the melancholy occurrences growing out of the tragical massacre in Southampton, be discharged from the consideration of all petitions, memorials and resolutions, which have for their object, the manumission of persons held in servitude under the existing laws of this commonwealth, and that it is not expedient to legislate on the subject.

MR. RANDOLPH moved the following substitute, to be inserted after the word "Southampton:"

— "be instructed to inquire into the expediency of submitting to the vote of the qualified voters in the several towns, cities, boroughs, and counties of this commonwealth, the propriety of providing by law, that the children of all female slaves, who may be born in this state, on or after the 4th day of July, 1840, shall become the property of the commonwealth, the males at the age of twenty-one years, and females at the age of eighteen, if detained by their owners within the limits of Virginia, until they shall respectively arrive at the ages aforesaid, to be hired out until the nett sum arising therefrom, shall be sufficient to defray the expense of their removal, beyond the limits of the United States, and that said committee have leave to report by bill or otherwise."

SATURDAY, JANUARY 14, 1832.

MR. MARSHALL said he would offer no apology for throwing himself upon the notice of the house, weary as it must be of debate, but that which is derived from the importance of the subject. Standing here as a representative of a county deeply interested in the result—a county containing a population of twenty-six thousand souls, of whom nearly equal portions are bond and free, he thought he had some claim upon the indulgence of the house, while he presented his views in relation to the great questions which have given rise to this discussion.

The whole subject, he said, ought to have been left with the committee. Nothing was more to be regretted than the attempt to change its original destination, and nothing more to be deprecated than a premature discussion in this house. The direction given to all the memorials, in the first instance, was conformable to the regular course of parliamentary proceedings. In committee, the subject would have been safely examined in all its bearings, with minute attention to details; and the most delicate questions might have been freely discussed, without agitating the public mind. Crude speculations, and visionary projects, would there have had an embryo existence, alike short and

harmless. Conflicting opinions, and discordant plans, would there have mingled in elemental strife. But order would eventually have sprung out of chaos; and the committee, rejecting every thing impracticable or unsafe, would most probably have reported some well digested plan, suited to the public expectation, and calculated to reduce the burden which presses on the state. Gentlemen had vainly hoped, by discharging the committee from the consideration of this subject, to arrest further discussion; and had as vainly manifested their intention to check all further inquiry, and show that the Virginia assembly will not entertain a proposition which has emancipation for its object. Sir, what has been the consequence?—The door has been thrown open to unlimited debate; the effort to preclude it has failed; and the subject stands before us in all its awful reality.

In the present aspect of the case, he was constrained to vote against both the original resolution, and the substitute offered by the gentleman from Albemarle. Pursuing the order in which the vote must be taken, he would begin by stating his objections to the substitute.

The first and most satisfactory reason is, that the public mind is not prepared for the question of abolition. The members of this legislature were not elected in reference to it. Let a subject of local character, however trivial, be presented for our consideration, and we refuse to interfere unless notice has been given. Shall we—ought we, to legislate on a subject of universal and surpassing interest; without an unequivocal expression of the public will? We may, individually, hazard our several persons or property in any manner that we like, but we have no right to jeopard the persons or property of other people; and we are bound to consult the wishes of our constituents as to the mode of exercising the powers which they confide to us. Have they given us authority to legislate on a subject which had never been discussed, and on which discussion was not expected? Since the melancholy occurrence at Southampton, the public attention has been forcibly drawn to the subject of our colored population, and many schemes have been suggested for diminishing the evils of slavery; but it was not until the meeting of this body—nay, until this week, that the question of abolition was seriously discussed. All laws, to be efficient, must be sustained by public sentiment. Without this sanction, they cannot long remain upon your statute book; they may do mischief, they never can do good;—but, resting on the deep, and broad, and permanent basis of public opinion, they are omnipotent. It is not sufficient to say that this law would have no immediate effect—that time would be given to the people to modify or cancel it at their pleasure. Any legislative action on the subject, though wholly prospective, though totally inoperative for forty years, would have a present and powerful effect. The expression of mere opinion by the legislature would have a substantial influence. It would be proclaimed from the house-tops; it would reach the deepest recesses of your forests, and be echoed from the loftiest summits of your mountains. It is not sufficient to say that the question will be propounded to the people for adoption or rejection. Sir, the public agitation of this subject would convulse this commonwealth. There are other modes of ascertaining public sentiment, without forcing this question upon the

people for promiscuous discussion: and the measure, if sustained by public sentiment, will assuredly be adopted.

He objected to the substitute, in the second place, because it is too specific. Instead of proposing a principle, it offers a peculiar plan, obnoxious to many and great objections. It suggests a particular mode of effecting a general object. The committee, under such instruction, would be tied down to a single course. No latitude of choice would be allowed them—no selection of the best means to obviate the dangers which must ever attend any measure of the kind, or to guard and preserve the rights of property. In reference to this last subject, he could not agree with the gentleman from Berkeley, (Mr. Faulkner), who had just addressed the house. That gentleman contended that the right of property could not be enjoyed in subjects which had no existence—that slaves not yet born had no existence, and therefore no property in them could be exercised or claimed. Hence he has inferred, that a law of a prospective character, designed to take effect solely in relation to the *post nati*, or those slaves who shall be born after the passage of the law, would not be a violation of vested rights. Sir, the gentleman's argument proves too much, and therefore is not sound. By parity of reasoning, he might show that the legislature has a right to appropriate the crops hereafter raised upon my land. The harvest is not yet matured—the grain itself is not yet sown;—if the mere circumstance of *non-existence* is to give authority for legislation, where is the difference between taking away the future produce of my land, and the future increase of my slave? The truth is, the existence of the after-born, though not actual, is potential, and constitutes an element of present value. There is but one ground on which the right of legislative interference, whether present or prospective, can ever be placed;—necessity—stern, unyielding necessity—requiring the sacrifice of private right for public good. Whenever the tranquillity and security of society shall imperiously demand this sacrifice, the rights of property must yield to the preservation of happiness and life; but still it is a sacrifice, and one for which compensation should be made, if within the competency of the state. It may be asked what evidence is required of this necessity. Are we to wait until some dire and disastrous insurrection shall occur—bursting with sudden fury, like the eruption of a volcano, and desolating the country to a wide extent? He would say, no;—he would not wait for such fatal proof. Whenever the uniform, sustained, tranquil, and undeviating voice of a clear majority of this people shall say their happiness and security require a gradual emancipation, he would acquiesce in the measure; he would, by timely precaution, endeavour to avert that portentous cloud, which already blackens the horizon, and which threatens, at some future day, to pour its fury on our heads.

This last consideration suggests the idea of a third objection to the substitute, namely, that the premature and unauthorised agitation of the measure is calculated to defeat the hope of its being adopted at any future time, and under circumstances more propitious. He was well aware of the delicacy of this subject, and the difficulties which environ it. The fabric of society, like the monuments of architectural skill, requires time and toil for its completion—the labor of years is

ecessary to give stability and beauty—but the work of destruction is
 work of a moment. Errors in science may mislead without injur-
 ing the community—philosophers may wander harmlessly in the mazes
 of metaphysics, or fabricate ingenious theories in natural science, while
 the kind pursue in quiet their ordinary vocations; but the opinions of
 a legislator, when clothed in the garb and armed with the attributes
 of truth, have so direct, and often so pernicious an influence on the
 happiness of society, that they ought to be maturely con-
 sidered before they are publicly proclaimed. He did not seek this dis-
 tinct evidence of this truth. He saw that the evil has attained a magnitude which
 could only be removed by prompt and able legislation. He saw that
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 and able legislation. He saw that the evil has attained a magnitude which
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tion in the guilt. If it be a sin, let those who were the vile panders
 of the crime, who brought them to our shores for the profits of the
 voyage, and had not the poor excuse of requiring their labor in the
 cultivation of the soil—let them wash their polluted hands by some
 great act of national expiation, before they lift them in prayer to
 heaven's majesty for the abolition of slavery. No, sir; if slavery be
 a sin, we cannot, collectively or individually, be deemed culpable,
 until some wise, well digested, safe, practicable plan for its abolition,
 shall have been offered to our acceptance, and shall have been delibe-
 rately rejected.

Nor is it because of its demoralizing tendency that slavery should
 be abolished. The slaves are ignorant, it is true, and therefore it
 may be inferred, that much vice prevails among; them but he ques-
 tioned whether they were not as exempt from the commission of gross
 crime as the lowest classes of any other country. With regard to the
 white portion of our community, the citizens of Virginia, of either sex,
 may lay as just a claim to purity of morals, to elevation of thought
 and action, to probity in all the transactions of life, as the citizens of
 any other state, or the people of any other country on the globe.

Again:—The ordinary condition of the slave is not such as to make

forbidden in legislative debate, or to the public press, and spoken only in mysterious whispers around the domestic hearth? Because a sense of security required, or was thought to require this course. Why, sir, is this mystery now dispelled? Why has the grave opened its "ponderous and marble jaws?" Why is the subject openly and freely discussed in every place, and under every form?—because a general sense of *insecurity* pervades the land, and our citizens are deeply impressed with the belief that something must be done. The numerous petitions and memorials which crowd your table, furnish abundant evidence of this truth. They may mistake the remedy, but they indicate most clearly that some action is imperiously required at our hands—that the evil has attained a magnitude which demands all the skill and energy of prompt and able legislation. It is contended on the other hand that nothing efficient can be accomplished, and that any proceeding by this legislature will reduce the value of property, and endanger the security of the people. With respect to the first consideration, he would say—that the price of property can never be injuriously affected, by a system which would operate on that portion only of the slaves; who belong to masters desirous to liberate them, or to sell them, for their own benefit, at a reduced rate. The effect, if any, upon the residue, must be to enhance their value. As to the other and the more serious objection, he would remark, that it constitutes, and must forever constitute, an obstacle to abolition; requiring all the wisdom and discretion of legislature and people;—but the removal of free blacks, or the purchase and deportation of slaves, can involve no danger. If, indeed, the whole fabric shall totter to its fall, when touched by the gentlest hand, it must rest on a precarious foundation. If danger lurk under just, benignant legislation, aiming to relieve both the master and slave—to combine justice with humanity—will the period ever come when it will be safe to act?

But, admitting that the subject cannot be approached without danger now, the great question for us to determine is, whether, by delay, it may not become fearfully worse, and in process of time attain a magnitude far transcending our feeble powers. We owe it to our children to determine whether we or they shall incur the hazard of attempting something. Gentlemen say, let things alone—the evil will correct itself. Sir, we may let things alone, but they will not let us alone. We cannot arrest the march of time, nor stop the current of events. We cannot change the course of nature, nor prevent the silent but sure operation of causes now at work. Emigration of the whites, and a disproportionate increase of the blacks, tend to one and the same result. Virginia occupies a position with regard to the northwestern states, where slavery is unknown, which strongly invites to emigration. The distance is not so great but that a family may be removed in any of the autumnal months, after their crop has been disposed of, and before the rigors of winter commence. Similar facilities do not exist in the more southern states. When the white man migrates from one of them, he generally moves in a different direction, and takes with him a portion of his slaves.

The other cause, acting simultaneously with this, deserves a more particular notice. A document presented this day—the census of the

United States—exhibits this important fact;—the whole number of			
slaves in Eastern Virginia under ten years of age, is			147,680
Whites	do.	do.	116,354

Majority of slaves	-	-	-	-	31,326
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We have no exact data by which to estimate the relative numbers of any other ages, because the census does not exhibit a comparative statement above ten years of age; but the truth may be approximated sufficiently to show, that the disparity diminishes in proportion as the ages increase; in other words, that the difference between the number of slaves and white persons at this time, in Eastern Virginia, is small compared with what it will be in the next generation. This rapid increase among the blacks must be ascribed principally to the fact, that they are without anxiety for the means of subsistence; that they have no care about the nurture and support of children; and consequently form early connexions. Again;—the increase of slaves in Virginia, from 1820 to 1830, was 44,571, or rather more than ten per cent. The ratio of increase among all the slaves in the United States was 36 per cent. in the same term. It is reasonable to suppose that but for the immense exportation, the increase of slaves here would have been in the same proportion, and the actual addition to our stock, instead of the number above mentioned, would have been 153,055; making a difference of 108,484. This statement shows how entirely dependent we are upon the legislation of other states for a vent to the excess of our slave population. If that vent should be closed, there will be an increase in the next ten years, at 36 per cent. of 169,000. But gentlemen contend earnestly that there is no serious reason to apprehend prohibition by other states. If they be correct, and he trusted they were so, the increase, judging of the future by the past, will barely exceed 48,000, or 4,800 per annum.

Gentlemen assure us that the danger of insurrection has blown over—that the massacre of Southampton was a small affair. It was small, when we regard the numbers originally concerned in the atrocious plot; but this circumstance was one of the most alarming facts in the case—that so few men, ignorant and without arms, should have attempted so vast a scheme, and perpetrated such extensive murders. He believed that no plan of general insurrection could be carried into successful operation. The intelligence, power, resources—and above all—habit of command, and mutual confidence, are all on one side. On the other, ignorance, distrust, and dread of punishment—a punishment prompt, awful, and universal; involving alike the innocent and guilty in its sweeping and sanguinary course. The best concerted plans would, therefore, be speedily put down, without foreign aid, by Eastern Virginia alone. But should a partial massacre occur, time would be necessarily required for embodying even the local militia; and, in the interval, many valuable lives may be lost. Will it be any consolation for him, whose wife and children are butchered—if he is left to mourn the catastrophe—that only 60 or 70 are killed, and that the insurrection does not extend beyond his immediate vicinage? What is possible to all, will be felt as probable by each. Every individual will apprehend that the spot on which he stands, conceals the

subterranean fire. Sir, the uneasiness felt in reference to this subject, is natural. All men are affected by dangers which are unseen, but known to exist. It is a remark of Cæsar, when adverting to a panic with which his soldiers had been seized, on the occasion of a simultaneous attack accompanied with great clamor, made on all parts of the line, that each man felt his own safety to be involved in the danger which existed elsewhere; and adds, that the minds of men are commonly most disturbed by dangers which do not appear.*

This principle of human nature is sufficient to account for what at first had given him very great surprise---the excitement which prevailed in places far removed from the scene of the late disturbances. The accounts first published of the real transaction were singularly accurate in all the melancholy details, and produced a universal feeling of sympathy for the sufferers, and horror at the assassins. Had the matter rested there, tranquillity would soon have been restored; but the sad reality was scarcely known, before rumor, with her hundred tongues, began to scatter vague and unfounded tales of insurrectionary movements elsewhere, and succeeded in producing a general disquietude. That time will correct this excited state of feeling, he did not doubt; but time will not diminish the cause which must ever subject us to the recurrence of such events, nor prevent consequences at which humanity must shudder. Every man who reflects at all, must reflect with deep and earnest solicitude upon a subject which is becoming daily and hourly more important. Every one must see and lament the progress of an evil which reasoning cannot check, nor argument avert. In vain, too, would we close our eyes upon the changes which are occurring elsewhere, and which show, conclusively, that in other countries, where slavery is now tolerated, it will ultimately be abolished. We have every reason to believe that in our immediate neighborhood---in the British West India islands---a general emancipation will follow as the necessary consequence of the great measure of Reform now agitated in the British Parliament. With so fearful an exhibition before us, does not every man feel that his security would be most seriously impaired?

But the question will be asked, what remedy do you propose for this growing evil? To this he would reply---strike at the annual increase of the colored population---endeavour to remove gradually as many of the blacks who are now free, and of those who may hereafter be emancipated for that purpose, as the resources of this great commonwealth will permit. Put your shoulder to the wheel, and then call on Hercules to help you. Invoke the aid of the United States, in the promotion of these objects and the ulterior one of purchase and deportation. Let every man retain his slave who wishes to keep him; and let the fund for transportation, or for purchase and removal, be exclusively under state control.

Some gentlemen direct their whole policy---or rather level their whole artillery, against the free blacks; and recommend a system of coercive measures, if persuasion should fail. They seem to think that

* Multum ad terrendos nostros valuit clamor, qui post tergum pugnantibus exstitit, quod suum periculum in aliena vident virtute consistere. Omnia enim plerumque quæ absunt, vehementius hominum mentes perturbant.—DE BELLO GAL. LIB. VII. CAP. 84.

every purpose of security will be effected by their removal, however harsh the mode. To him, Mr. M. said, this plan appeared to be as unwise, as it is oppressive. No doubt a class of that description, when sufficiently numerous, is peculiarly dangerous to society. Enjoying partially the blessings of liberty, imperfectly educated, endued with power to go where inclination leads, responsible to no one for the employment of their time, having much of the degradation without the salutary restraints of slavery, they would, in the course of years, become extremely dangerous. At present, they are mischievous in proportion as they are idle, and ought to be removed when they have no visible means of subsistence; but there is no evidence of a disposition on their part to join in revolt, or disturb the public tranquillity. They are content to enjoy the limited freedom which the laws permit, and which they feel themselves to hold by the tenure of good behaviour. They cling with fond tenacity to the country of their birth, and may possibly constitute no inconsiderable barrier to a future insurrection of the slaves. To make them our enemies, and drive them to despair, would certainly be hazardous. Banishment would have the effect of peopling the free states with men execrating the country which had expelled them---who, here, are comparatively harmless, but driven thither, would possess and exercise the means of annoyance. Different, widely different, would be the feelings of those who submitted to removal as the condition of freedom. They would regard with a beaming eye and a joyous heart the vessel which was to bear them to the land of their ancestors. All that it seems necessary or proper to do in regard to the negroes now free, is to remove the annual increase. A sufficient number for this purpose will accrue from voluntary emigration, and from the power given to county courts to expel them when a burden to the community.

The annual increase of this class is computed at 1,200; that of slaves at 4,800;---and the annual removal of both classes, in that proportion, and to that amount, would have the double effect of preserving the ratio now existing between them, and of keeping the total amount of colored population at its present point, while the white would gradually, we may hope, rapidly increase.

It is found by experience, that the sum of \$35 per head is sufficient to defray the expenses incident to the African voyage, and subsistence for six months after arrival. The whole sum necessary for the removal of 6,000 persons, would be \$210,000; but as some time must unavoidably elapse before the plan could be carried into full and successful operation, one-fourth of that sum would suffice for the present year, and one-half for the next. A gradual increase of taxes will be necessary; and as the benefit of the scheme is progressively developed, will, no doubt, be paid with increasing cheerfulness. But a question occurs: To what place shall we look for a suitable asylum? None presents itself at present, but Liberia, on the western coast of Africa, where the colony is in actual possession of a territory extending 150 miles along the coast, and running 30 miles into the interior; where nature riots in the richest luxuriance; and where we see the germ of a thriving settlement, destined, at no distant day, to become the seat of arts, commerce, and civilization. Already has it

attained a population of about twenty-two hundred, at an expense of less than \$150,000; whereas, the early settlements of Virginia did not reckon that number, after an interval of 18 years, and an expenditure of more than \$650,000. The present state of the colony, will not admit a greater addition to its population, than 1000, during the present year; next year, its capacity will be so far increased, as to receive 2000 more; and so on, every year, in arithmetical progression. But no limit, in fact, can be assigned to the growing capacity of a flourishing settlement, after it attains vigor and stability. The number of emigrants into the United States, in 1827, from Great Britain and Ireland alone, was 23,000; and this accession was not sensibly perceived, although confined to the northern section of the union.--- Mr. M. was by no means desirous to restrict emigration to Liberia. He would ask the United States government to procure some additional place, or places, to which colored emigrants might go. A similar application was once made while Mr. Jefferson was president of the United States, and Col. Monroe governor of Virginia. There can be no reason why it should not now be renewed.

Auxiliary to this scheme, but not necessarily connected with it, is a plan for the purchase and removal of slaves. If a fund for this object can be provided, great advantages may be expected from its use. Many masters are unable to give away their slaves, who would be content to sell them at a very reduced rate, perhaps at half price, for the benefit of the slaves themselves. They require some fund to hire labor in the cultivation of their land. Humanity restrains them from selling to the traders who purchase for the southern markets, and thus they continue to hold a property of which they would gladly divest themselves. Offices for purchasing, could be established in different counties; and a *maximum* price, for various ages, be fixed by law. The effect would be immense; and in no other way could any given sum produce such great results.

But here again it will be asked, in what way shall the money be obtained for making these purchases? Sir, the proceeds of the public lands are at the disposal of congress. The constitution of the United States has expressly placed them under their control, and they are bound to use them for the public good. Distribution, in various modes, has been suggested; and it is proper that Virginia, in the event of distribution, should indicate the mode which would be acceptable to her. There is not a member of congress who has manifested any other feeling than that of the most scrupulous delicacy in regard to the subject of slavery, and who has not considered it as so vitally interesting to the southern members of the confederacy, that they alone have the right to suggest the policy which it requires. Let an intimation come from Virginia, and it will be hailed with delight. The fund to be appropriated, will be readily subjected, in its application, to her exclusive management and direction. It was not his intention however---far from it---to hold out the idea, that distribution of those proceeds among the several states would be a proper measure in itself. On the contrary, a just and enlightened policy demands that they should be kept together, and applied to some great object of national concern. What object, he would ask, can be more worthy

of this nation, or of this age, than the removal from the several states, with their voluntary concurrence, and under their immediate control, of as many slaves as their masters may choose to part with, and as the fund is competent to purchase? The annual sales of the public lands are estimated at \$3,000,000; a sum sufficient for the purchase, in families, and removal to Africa, of 20,000 slaves per annum. Our just proportion of this sum, if applied to this single object, would be more than sufficient to purchase and remove the whole annual increase of slaves in this commonwealth. But let not reliance be placed on this resource alone. Our citizens have asked that measures may be taken, for so amending the constitution of the United States, as to invest congress with the right of appropriating money for the removal of free negroes; and in some instances, the petitioners have required that the powers of congress should be so enlarged as to purchase and remove slaves likewise. It may be laid down as a principle, from which no departure is admissable, that congress has no right to interfere in our domestic concerns in such a manner as to affect the relation of master and slave. They must not be permitted to disturb that relation. But certainly there is wisdom enough in Virginia to devise, and courage enough to propose, such an amendment to the federal constitution, as would give to congress the power of appropriation for this vast and momentous object, and to the states, the application of the fund. The benefits which may flow from this source are incalculable. There is no limit to the power and resources of the nation, devoted to the execution of a plan which wisdom and humanity concur to recommend. Virginia would have the honor, the imperishable honor, of having led the van in this noble enterprise. Her sons would cease to emigrate---the exile would return to his paternal fields ---and millions yet unborn will rise to call her blessed.

